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Attorneys for Defendants
Irco GROUP CORP. and
Irco DISPLAY DEVICES CO., LTD.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION,

) Case No. 3:07-cv-05944-JST

) MDL No.: 1917

THIS DOCUMENT RELATES TO:

ALL DIRECT PURCHASER ACTIONS

) **DECLARATION OF STUART C.**
) **PLUNKETT IN SUPPORT OF IRICO**
) **DEFENDANTS' REPLY IN SUPPORT**
) **OF IRICO DEFENDANTS' MOTIONS**
) **TO DISMISS CLAIMS OF DIRECT**
) **PURCHASER PLAINTIFFS FOR LACK**
) **OF SUBJECT MATTER**
) **JURISDICTION (ECF Nos. 5410 and**
) **5412)**

) **Date: May 30, 2019**

) **Time: 2:00 pm**

) **Judge: Hon. Jon S. Tigar**

) **Courtroom: 9**

1 I, Stuart C. Plunkett, declare as follows:

2 1. I am an attorney admitted to practice law in this Court and in the State of
3 California and am a partner with the law firm of Baker Botts L.L.P., which represents Defendants
4 Irico Group Corporation (“Irico Group”) and Irico Display Devices Co., Ltd. (“Irico Display”)
5 (collectively, “Irico Defendants”). I make this Declaration based on my personal knowledge and
6 in support of the Irico Defendants’ Amended Motions to Dismiss for Lack of Subject Matter
7 Jurisdiction.

8 2. Attached hereto as Exhibit A is a true and correct copy of a Reply on Approval of
9 CEIEC Accepting Irico Electronics Import & Export Company as Its Subsidiary issued by
10 Shaanxi Provincial Commission for Foreign Economic Relations and Trade on February 10,
11 1987, and a translation thereof.

12 3. Attached hereto as Exhibit B is a true and correct copy of an online printout of the
13 China National Enterprise Credit Information Publicity Record for China National Electronics
14 Import & Export Caihong Co. Ltd. retrieved on September 17, 2018, from
15 <http://www.gsxt.gov.cn>, and a translation thereof.

16 4. Attached hereto as Exhibit C is a true and correct copy of a Certificate of
17 Dissolution for Irico (USA) Inc. filed by Liu Feng on February 28, 2003, with the State of
18 California’s Office of the Secretary of State.

19 5. Attached hereto as Exhibit D is a true and correct copy of excerpts of the
20 transcript of the second day of the deposition of Wang Zhaojie on March 7, 2019 (“Wang Dep.
21 (Day Two)”).

22 6. Attached hereto as Exhibit E is a true and correct copy of excerpts of the transcript
23 of the second day of the deposition of Zhang Wenkai on March 5, 2019 (“Zhang Dep. (Day
24 Two)”).

25 7. Attached hereto as Exhibit F is a true and correct copy of excerpts of the transcript
26 of Curtis Milhaupt on April 24, 2019 (“Milhaupt Dep.”).

27 8. Attached hereto as Exhibit G is a true and correct copy of excerpts of the
28 transcript of Donald C. Clarke on March 26, 2019 (“Clarke Dep.”).

9. Attached hereto as Exhibit H is a true and correct copy of an article written by Li-Wen Lin and Curtis Milhaupt titled “We Are the (National) Champions: Understanding the Mechanisms of State Capitalism in China” and published in the April 2013 volume of the Stanford Law Review.

10. Attached hereto as Exhibit I is a true and correct copy of an article written by Curtis Milhaupt and Mariana Pargendler titled “Governance Challenges of Listed State-Owned Enterprises Around the World: National Experiences and a Framework for Reform” and published in the Fall 2017 volume of the Cornell International Law Journal.

11. Attached hereto as Exhibit J is a true and correct copy of an article written by Daniel H. Rosen, Wendy Leutert, and Shan Guo titled “Missing Link: Corporate Governance in China’s State Sector” published as a special report for the Asia Law Society in November, 2018.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 2nd day of May, 2019, in San Francisco, California.

/s/ Stuart C. Plunkett

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